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OFFICE OF PETITIONS

ON PETITION

In re Application of
Kerry Champion
Application No. 10/015,502
Filed: December 11, 2001
Attorney Docket No: **23982-11569**

This is a decision on the petition filed November 11, 2008, under 37 CFR 1.59(b) to expunge information unintentionally submitted in the application.

Petitioners argue that a single sheet of material was submitted as part of an exhibit to an declaration filed June 23, 2007 but that it was unintentionally filed and unrelated to the instant application and that the failure to expunge and return said documents would cause harm to the party in interest.

Based on a review of the file and the documents entitled "miscellaneous incoming letter" and pursuant to MPEP § 724.05(IV) it is determined that the information contained therein is not important to a reasonable Examiner in deciding on patentability.

It is agreed therefore that justice would be served by an expungement of the document submitted as part of an exhibit to the Declaration of Fact by Kerry Champion under 37 CFR 1.131.

However, the present application as filed has been scanned and is maintained in the Office in an Image File Wrapper (IFW). The instant request is not for national security reasons, thus, the pages will not be removed from the IFW. Instead, the Office has "hidden" the documents entitled "miscellaneous incoming letter" as immaterial to the instant application and confidential. See *Reminder of the Proper Procedure for Filing Confidential Information Pursuant to MPEP 724.02(signed April 23, 2004)*, 1282 OG 107 (May 18, 2004).

Accordingly, the petition is **GRANTED**.

Telephone inquiries specific to this matter should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions